

**\*\*NOT FOR PRINTED PUBLICATION\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**MELVIN WAYNE ORR**

**V.**

**JENAN BRAY, LISA CHANDLER,  
GREG BASHAM, BILL GALLIMORE,  
JANSEN KITCHENS, AND  
VOLUNTEER OF AMERICA**

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**No. 4:15cv381-RC-CMC**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 15, 2016, the report of the Magistrate Judge was entered, containing proposed findings of fact and recommendations that Defendants Bill Gallimore and Jansen Kitchens' Motion to Dismiss Plaintiff's Amended Complaint for Lack of Subject-Matter Jurisdiction Under Rule 12(b)(1) [Doc. #28-1] be granted and that Plaintiff's above-entitled and numbered cause of action against Gallimore and Kitchens be dismissed without prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. It is therefore

**ORDERED** Defendants Bill Gallimore and Jansen Kitchens' Motion to Dismiss Plaintiff's Amended Complaint for Lack of Subject-Matter Jurisdiction Under Rule 12(b)(1) [Doc. #28-1] is

**GRANTED.** It is further

**ORDERED** that Plaintiff's above-entitled and numbered cause of action against Defendants Bill Gallimore and Jansen Kitchens is **DISMISSED WITHOUT PREJUDICE.**

So **ORDERED** and **SIGNED** this **2** day of **May, 2016.**

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge